

PROB 12C  
(7/92)

Report Date: June 11, 2012

**United States District Court**

for the

**Eastern District of Washington**FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

JUN 12 2012

JAMES R. LARSEN, CLERK  
DEPUTY  
SPOKANE, WASHINGTON**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Derick Hughes

Case Number: 2:11CR00055-001

Address of Offender:

Spokane, WA 99202

Name of Sentencing Judicial Officer: The Honorable Justin L. Quackenbush, Senior U.S. District Judge

Date of Original Sentence: 10/07/2011

Original Offense: Burglary of a United States Post Office, 18 U.S.C. § 2115; Mail Theft, 18 U.S.C. § 1708; Theft of Government Property, 18 U.S.C. § 641

Original Sentence: Probation - 36 Months

Type of Supervision: Probation

Asst. U.S. Attorney: Russell E. Smoot

Date Supervision Commenced: 10/07/2011

Defense Attorney: John Barto McEntire, IV

Date Supervision Expires: 10/06/2014

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**PETITIONING THE COURT****To issue a warrant.**

The probation officer believes that the offender has violated the following condition(s) of supervision:

**Violation Number**      **Nature of Noncompliance**

1

**Mandatory Condition #4:** The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.**Special Condition # 16:** You shall abstain from the possession and use of alcohol or illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.**Supporting Evidence:** On June 5, 2012, the offender left this officer a telephone message. Mr. Hughes indicated the following: "Hi Brenda, this is Derick Hughes. I just gave a UA and it tested positive for THC. I have not smoked THC, but for 1 week I was smoking SPICE and Salvia. It might have been in the guys pipe I was using." This officer is awaiting the urine sample results from Alere Laboratory from this sample that was sent to the laboratory on June 5, 2012, by Pioneer Human Services (PHS).

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- 2        **Standard Condition # 6:** The defendant shall notify the probation officer at least ten days prior to any change in residence or employment.

**Supporting Evidence:** On June 11, 2012, this officer contacted the Union Gospel Mission (UGM). This officer was informed by UGM staff that the offender has not been living at their facility since May 31, 2012.

- 4        **Special Condition # 14:** You shall complete a mental health evaluation and follow any treatment recommendations of the evaluating professional which do not require forced or psychotropic medication and/or inpatient confinement absent further order of the Court. You shall allow reciprocal release of information between the supervising officer and treatment provider. You shall contribute to the cost of treatment according to your ability to pay.

**Supporting Evidence:** On June 11, 2012, this officer was contacted by the offender's mental health therapist, Robert Shepard. Mr. Shepard stated that the offender failed to keep his 9:00 a.m. appointment with him on June 11, 2012. Mr. Shepard indicated that he would be unsuccessfully discharging the offender from treatment. He further relayed that Derick Hughes is not amenable to mental health treatment at this time.

- 5        **Special Condition # 15:** You shall undergo an alcohol and substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare. You shall contribute to the cost of treatment according to your ability to pay. You shall allow full reciprocal disclosure between the supervising officer and treatment provider.

**Supporting Evidence:** On June 11, 2012, this officer was contacted by the chemical dependency counselor at Pioneer Human Services (PHS). The counselor indicated that the offender failed to appear for his individual drug treatment session on June 6, 2012. The therapist stated that they were discharging him from their program and that he is not amenable to chemical dependency treatment.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on:        June 11, 2012

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s/Brenda J. Kuest  
06/11/2012

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Brenda J. Kuest  
U.S. Probation Officer

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**Re: Hughes, Derick**

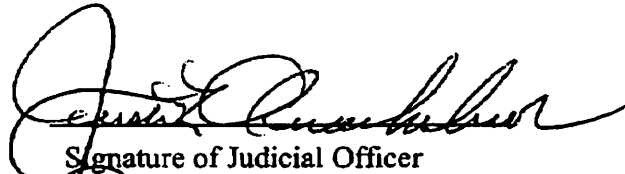
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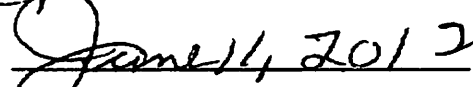
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**THE COURT ORDERS**

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other

  
Signature of Judicial Officer

  
Date